

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and DOES NOS.
1-50,

Defendants.

Case No. 1:22-cv-187

**STIPULATION AND [PROPOSED]
ORDER RE EXPEDITED DISCOVERY
BRIEFING SCHEDULE FOR
PRELIMINARY INJUNCTION
MOTION**

Plaintiff Moog Inc. (“Plaintiff” or “Moog”) and Defendants Skyryse, Inc. (“Skyryse”), Robert Alin Pilkington (“Pilkington”), Misook Kim (“Kim”) (collectively, “Defendants,” and each individually, a “Defendant”) (Plaintiff and Defendants shall collectively be referred to as the “Parties”) hereby stipulate and agree to the following schedule regarding expedited discovery, and briefing and hearing schedule on Moog’s Motion for Preliminary Injunction.

1. On March 17, 2022, the Parties filed a Stipulation Re: Expedited Discovery (ECF 33) (the “Expedited Discovery Stipulation”). Paragraph 6 of the Expedited Discovery Stipulation contained a schedule for the parties to complete expedited discovery, and a briefing/hearing schedule on Moog’s Motion for Preliminary Injunction. The Parties hereby agree to replace Paragraph 6 of the Expedited Discovery Stipulation with the following revised schedule for expedited discovery, and for briefing and hearing in connection with Moog’s Motion for Preliminary Injunction:

- The Parties’ deadline to complete production of documents in response to expedited discovery requests is June 2, 2022;

- The Parties' deadline to submit written discovery disputes to the Court for resolution is June 9, 2022;
- The Parties' deadline to complete expedited discovery, including all depositions, is August 25, 2022;
- Defendants' deadline to file their Oppositions to Moog's Motion for Preliminary Injunction is September 8, 2022;
- Moog's deadline to file its Reply in Support of its Motion for Preliminary Injunction is September 29, 2022;
- The hearing on Moog's Motion for Preliminary Injunction shall be scheduled for October 17, 2022, subject to the Court's availability.

Pursuant to Section 8 of the Expedited Discovery Stipulation: "Any party may submit a status report to the Court seeking a modification to the proposed schedule for expedited discovery, or the briefing and hearing schedule on Plaintiff's Motion for Preliminary Injunction, upon good cause." The deadlines set by this Order "are solely for the purposes of expedited discovery, and do not apply to discovery conducted following the hearing on Moog's Motion for Preliminary Injunction" (ECF 33, ¶ 13), and the Court expects substantial compliance with the same. All parties are reminded of their ongoing duty to supplement discovery in compliance with Federal Rule of Civil Procedure 26(e).
This order is without prejudice to any party's to seek relief in the event disputes arise over timeliness of discovery or substantial compliance with an order of the Court.

Aside from the modifications made herein to Paragraph 6 of the Expedited Discovery Stipulation, all other provisions therein will remain intact and in full force and effect.

IT IS SO STIPULATED.

DATED: May 17, 2022

<p><u>SHEPPARD, MULLIN, RICHTER & HAMPTON LLP</u></p> <p><u>HODGSON RUSS LLP</u></p> <p>By: _____ Counsel for Plaintiff Moog Inc.</p> <p><u>WINGET, SPADAFORA & SCHWARTZBERG, LLP</u></p> <p>By: _____ Counsel for Defendant Robert Alin Pilkington</p>	<p><u>LATHAM & WATKINS, LLP</u></p> <p><u>HARRIS BEACH PLLC</u></p> <p>By: _____ Counsel for Defendant Skyryse, Inc.</p> <p><u>WINGET, SPADAFORA & SCHWARTZBERG, LLP</u></p> <p>By: _____ Counsel for Defendant Misook Kim</p>
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IT IS SO ORDERED.

<p>DATED: _____, 2022</p>	<p>_____</p>
	<p>The Honorable Jeremiah J. McCarthy</p>